



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : KELSEY, Martha
SERIAL NO : 10/762,610
FILED : January 22, 2004
TITLE : REMOVABLE AND RECONFIGURABLE DOLL CLOTHING

Grp./A.U. : 3714
Examiner : Nguyen, Kien T.
Conf. No. : 5043
Docket No. : P064331US00

DECLARATION OF MARTHA KELSEY
37 C.F.R. 1.132

I, Martha Kelsey declare:

1. I am the inventor of the above-identified patent application.
2. I have reviewed the office actions from the U.S. Patent Office regarding my application and the patents cited by the Patent Office relative my patent claims.
3. I am enclosing demonstrative exhibits 1 and 2, (see yellow exhibit tags marked (1) and (2), which are embodiments of aspects of my claimed invention. I submit these to allow the Patent Examiner to personally see and handle these embodiments and compare them to my patent claims.
4. For comparison, I am also enclosing Demonstrative Exhibits 3 and 4, which are my mock-ups of what I see as taught by Fogarty U.S. Patent No. 5,186,673 and Norman U.S. Patent No. 6,227,930, which are primary patents cited by the Patent Examiner relative my claims. I made the Demonstrative Exhibits 3 and 4 from my understanding of the disclosures of those two patents.

5. I have been involved for 8 years in doll clothing and have considerable experience regarding the same.

6. I feel it is important to point out the following about embodiments of my invention at Demonstrative Exhibits 1 and 2 relative to the embodiments of Demonstrative Exhibits 3 and 4.

7. My comments regarding my embodiments are as follows:

Samples according to Mandalay patent (pending).

Note that the exact same sized piece of fabric (a long rectangular shape) is used for both these samples. In one sample, the piece of fabric is fashioned into pleats, forming a pleated skirt. In a separate embodiment, the same size fabric piece is doubled over (making a shorter piece of double thickness) and formed into a strapless dress. Embellishments can be simply pressed on (not sewn or glued), such as flowers, designs, etc. A small strip of fabric can form a belt; it can then be peeled off and re-used as a strap for a dress or a purse, or formed into a bow and affixed to a dress.

With the Norman and Fogarty patents, one of this is possible. Embellishments to Norman must be made within the molding process itself. And embellishments to Fogarty must be made using thread, glue, etc. Likewise, the pieces used in Fogarty cannot be re-used to form other articles of clothing, as they are already formed/sewn/glued, etc., presumably by the manufacturer. The miniature articles of clothing are not formed from its most basic components, such as sleeves, bodices, skirts, collars, etc., as they are in Mandalay. In Mandalay, the entire miniature article of clothing is formed from individual pieces pressed together -- in much the same way as a seamstress constructs an article of clothing from individual pieces (though in the latter case, the pieces are sewn, of course).

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8. In contrast, my comments regarding the approach of Fogarty (Exhibit 3) are as follows:

Sample made according to Fogarty patent.

These articles of doll clothes from Fogarty patent are intended to be pre-assembled, pre-sized, and pre-sewn by a manufacturer. The skirt is sewn or glued to the "resilient" waistband, the top is sewn or glued to the "resilient" top. Their Figure 8 shows an outfit with the top and bottom sewn or glued together to form one outfit. Back of skirt is closed with Velcro or some similar fastener. The bow must be glued or sewn to the front. The "gathering" must be created by weaving a thread through the fabric and then pulling it, to create the puckered effect.

With Mandalay patent (pending), the clothes are created by the child -- they are not pre-formed, pre-made, sewn, glued, etc. The flat pieces of fabric can be pressed together to form any type of miniature clothing, without the use of glue, thread, Velcro. A gathered type of skirt (as in Fogarty sample) would be made by simply wrapping a piece of fabric around the doll or dress form, and then pinching it together at the waistband. In addition, the self-adhering fabric is reusable, so after forming a pleated skirt, for instance, the same piece of fabric can be stretched back into its original flat shape, and then formed again to make a dress.

9. In contrast, my comparison and comments regarding the approach of Norman (Demonstrative Exhibit 4) are as follows:

Sample made according to Norman patent.

These seamless pieces are dip molded or injection molded. Once a part is formed by the manufacturer, those pieces cannot be turned into other pieces or modified in any way. A molded top stays a molded top, a molded pair of pants stays a molded pair of pants. The child using this toy does not create her own articles of clothing but rather plays with the pre-formed pieces.

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In contrast, with the Mandalay patent pending, the user receives flat pieces of fabric and then creates various outfits with the fabric -- by wrapping, pinching, pressing, etc. Any article of clothing created can subsequently be taken apart to form the original flat pieces of fabric; these pieces can then be used to form an entirely different outfit or design.

The undersigned inventor further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date Feb. 17, 2006

Martha Kelsey
Martha Kelsey